



REPUBLIC OF SOUTH AFRICA

**HIGH LEVEL PROGRESS TABLE AND
DETAILED REPORTING AGAINST ACTIONS**
as at 30 September 2023

HIGH LEVEL PROGRESS TABLE as at 30 September 2023

NO	FOCUS OF ACTION	PREVIOUS	CURRENT
1.	Criminal investigations and prosecutions		
2.	Asset recovery		
3.	Delinquency proceedings against SOE board members		
4.	Monitoring referrals to audit and accounting professional bodies etc.		
5.	Monitoring referrals to Legal Practice Council		
6.	Monitoring referrals to SA Diamond and Precious Minerals Council		
7.	Monitoring recommendations for investigations to SOEs		
8.	Investigations by Independent Police Investigating Directorate		
9.	Conclude investigations into PRASA and determine need for new Commission		
10.	Issue proclamation for special investigation into PRASA		
11.	CIPC investigations into companies implicated in State Capture		
12.	Blacklisting of companies implicated in State Capture		
13.	Overseas investigations into companies implicated in State Capture		
14.	Oversight on compliance by directors and auditors		
15.	Central register for tracking dismissals and disciplinary cases across government		
16.	Finalise Electoral Laws Amendment Bill		
17.	Creation of a statutory offence for abuse of public power		
18.	Sanction for constitutional and political malpractice		
19.	Recommendations specifically directed to the President		
20.	Leader of Government Business interactions with Parliament		
21.	Engagements between National Treasury and Parliament on resourcing		
22.	Resourcing of Parliamentary Committees for oversight		
23.	Research into Anti-State Capture Commission, Public Procurement Agency		
24.	Legislation for Investigating Directorate to be established as permanent entity		
25.	Legislative amendments for appointment of NDPP		
26.	Financial and administrative independence of NPA		
27.	Procurement Bill to include list of specific reforms from Commission		
28.	Legislation to ensure appointment of qualified service providers		
29.	Lifestyle audit for executives		
30.	Prohibition on Minister or Board involvement in operations /procurement in SOEs		

■ In progress ■ Completed

HIGH LEVEL PROGRESS TABLE as at 30 September 2023

NO	FOCUS OF ACTION	PREVIOUS	CURRENT
31.	Including provision for independent panels for recruitment to state-owned enterprises		
32.	Establishment of central database for SOE board appointments		
33.	Codify appointments for SOEs		
34.	Amend Companies Act for declaring delinquent directors		
35.	Amend legislation on failure of persons to prevent bribery		
36.	Amend the Political Party Funding Act		
37.	Introduce legislation to allow deferred prosecution agreements		
38.	Disbarment of bidders or suppliers		
39.	Review of Treasury Instruction on blacklisting suppliers		
40.	Legislation to disestablish SSA		
41.	Review of Intelligence Services Act		
42.	Progress on SSA response plan to SCC recommendations		
43.	Consequence management for offences committed at SSA		
44.	Control measures to prevent peddling of fabricated information		
45.	Controls for cash and improved accountability		
46.	Implementation of gun control directives		
47.	Review and update of SSA recruitment directives		
48.	Tabling of National Security Policy and Strategy to Parliament		
49.	Review whistle-blower protection laws and incentives		
50.	Amend SARS Act on appointment process for Commissioner		
51.	Legislative reforms to combat money laundering		
52.	Undertake review of system for suspicious transaction reporting		
53.	Changes to legislation governing banks		
54.	Changes to definitions to focus on material issues for audit findings		
55.	Shift powers for appointing officials to heads of department		
56.	Review Ministerial Handbook		
57.	Introduce Public Service Amendment Bill to Parliament		
58.	Develop Code of Conduct for Special Advisors		
59.	Processes for directive to be giving to departmental officials given by Ministers		
60.	Independent monitoring of the response		

■ In progress ■ Completed

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
1	4.1	Criminal investigations and prosecutions	All recommendations [for law enforcement agencies to investigate or prosecute] are currently receiving attention from law enforcement agencies, working in collaboration with other agencies, including the South African Revenue Services (SARS) and the Financial Intelligence Centre (FIC). A joint Task Force has been established to ensure coordination between the NPA Investigating Directorate (ID), SAPS Directorate for Priority Crime Investigation (DPCI), Asset Forfeiture Unit (AFU) and the offices of the Directors of Public Prosecutions who have jurisdiction over these matters.	Law enforcement Agencies	<p>The Integrated Task Force established to ensure a coordinated response of law enforcement agencies to the recommendations of the State Capture Commission (SCC) in relation to investigations, prosecutions and forfeiture proceedings, now includes the Special Investigating Unit (SIU) and the Financial Intelligence Centre (FIC). The inclusion of these entities will ensure broader coordination of investigation and recovery related work.</p> <p>Investigations have continued during the first quarter of 2023/24. A further enquiry has been opened by the DPCI, bringing the total to 38 enquiries. A further two dockets are now under investigation. There are now 9 cases in court related to the State Capture Commission recommendations. These cases involve 47 accused people and 21 companies. Two cases have been finalised, both delivering guilty verdicts. Appendix A provides the details of the cases in court. These cases cover.</p> <p>The Special Investigating Unit (SIU) received proclamations in relation to the following State Institutions: Eskom, Transnet, SAA, Alexkor, Denel and Prasa. Each proclamation covers a range of matters which were mentioned in the State Capture report and others which were not part of the recommendations.</p>	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
2	4.2	Asset recovery	The State Capture Commission made 27 recommendations regarding the recovery of proceeds of crime and legal steps to be taken by certain entities themselves to recover funds. These recommendations are receiving priority attention from the NPA's Asset Forfeiture Unit (AFU) and the Special Investigating Unit (SIU).	Law enforcement Agencies	<p>The work to address the recommendations with regard to recovery of monies has been continuing.</p> <p>The work to address the recommendations with regard to recovery of monies is continuing. Additional steps were taken in June with the establishment of a joint specialised team, with extensive involvement of the FIC, to focus solely on the enablers of State Capture as identified in the recommendations and which enablers directly and/or indirectly assisted the Gupta Enterprise.</p> <p>This specialist Enablers Team operates under the direction of the Head of the Investigating Directorate (ID) and comprises of permanent members of the Integrated Task Force.</p> <p>Freezing orders of R14.18 billion have been granted to NPA. R5.4 billion has to date been recovered and returned to the state in relation to state capture cases (noting that not all are related directly to recommendations of the Commission)</p> <p>The SIU civil litigation initiatives.</p> <p>The SIU has embarked on the following steps in order to address State Capture related matters:</p> <ul style="list-style-type: none"> - Value of civil litigation already instituted = R64 billion - Value of civil litigation being prepared = R1.4 billion - Value of SIU recommendation to cancel contract already implemented = R130 million - Value of potential cash recoveries (advanced stage) = R2.9 billion - Value of contract likely to be set aside = R33 billion. <p>Additional steps were taken in June with the establishment of a joint specialised team, with extensive involvement of the FIC, to focus solely on the enablers of State Capture as identified in the recommendations and which enablers directly and/or indirectly assisted the Gupta Enterprise.</p>	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
3	4.3.8	Delinquency proceedings against SOE board members and employees	Identify and launch delinquency proceedings against former board members of SOEs which fall under their mandate, including Eskom, Transnet, SAA, Denel and Alexkor. Delinquency proceedings will be launched by 31 March 2023.	Department of Public Enterprises	Consultations ongoing between DPE, National Treasury law enforcement agencies, SOEs and professional bodies to gather additional evidence against 73 former directors of SOEs. CIPC is currently processing complaints concerning 13 former directors of Eskom.	In progress	In progress
4	4.4.2 4.4.5	Monitoring referrals to professional bodies etc.	All relevant recommendations with respect to further investigation and possible action against individuals and entities for alleged violations of statutory or professional prescripts have been directed to bodies such the SA Institute of Tax Practitioners (SAIT) , South African Institute of Chartered Accountants (SAICA) , Independent Regulatory Board for Auditors (IRBA) . The responsible government departments will engage with the relevant bodies to monitor implementation of these recommendations.	National Treasury	National Treasury is still awaiting feedback from SAICA & IRBA.	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
5	4.4.2 4.4.5	Monitoring referrals to professional bodies etc.	<p>All relevant recommendations with respect to further investigation and possible action against individuals and entities for alleged violations of statutory or professional prescripts have been directed to bodies such the Legal Practice Council (LPC). The responsible government departments will engage with the relevant bodies to monitor implementation of these recommendations.</p> <p>The Minister of Justice has engaged the Legal Practice Council on referrals by the Commission for investigation of members of the legal fraternity. The Council is expected to determine whether these individuals should continue practicing as attorneys and advocates. Disciplinary cases are unfolding in these matters.</p>	Department of Justice and Constitutional Development	The Legal Practice Council has finalised two of the six matters it is investigating.	In progress	In progress
6	4.4.2 4.4.5	Monitoring referrals to professional bodies etc.	<p>All relevant recommendations with respect to further investigation and possible action against individuals and entities for alleged violations of statutory or professional prescripts have been directed to bodies such the South African Diamond and Precious Metals Regulator (SADMR). The responsible government departments will engage with the relevant bodies to monitor implementation of these recommendations.</p>	Department of Mineral Resources	<p>The SADPMR conducted an inquiry in terms of section 79 of the Diamond Act to determine if all the buyers to whom Scarlett Sky Investments (SSI) sold rough diamonds to were in possession of the required licences, as per the required licences, as per the final report of the Judicial Commission of Inquiry into Allegations of State Capture. The findings of the inquiry are as follows:</p> <p>a) SSI traded with 101 businesses between March 2015 and January 2020;</p> <p>b) All the 101 businesses were in possession of the required licences as contemplated in Chapter IV of the Diamond Act;</p> <p>c) The SADPMR did not find any reason as per the recommendation of the Judicial Commission of Inquiry into Allegations of State Capture to refer any non-compliance with the Diamond Act by SSA, based on information it received from SSI pursuant to summons issued against it.</p>	In progress	Completed

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
7	4.4.2 4.4.5	Monitoring of recommendations for investigations by SOEs	All relevant recommendations with respect to further investigation and possible action against individuals and entities for alleged violations of statutory or professional prescripts have been directed to the responsible government departments will engage with the relevant bodies to monitor implementation of these recommendations.	DMRE DPE DOT	This is ongoing. Details to be provided in upcoming reporting.	In progress	In progress
8	4.5.2	Investigations by the independent police investigating directorate	Three recommendations arising from the Commission's investigation into the Vrede Dairy Project in the Free State called for independent investigation of abuses and non-responsiveness or inaction by the South African Police Service. These matters have been referred to the Independent Police Investigating Directorate (IPID), which has assigned a team of investigators to deal with these allegations. The team started its work in September 2022	Independent Police Investigating Directorate	The Executive Director of IPID has provided a third progress report on the investigations. The investigation is on-going.	In progress	In progress
9	4.6.8	Establishment of a Special Commission of Inquiry into PRASA	A decision on the establishment of a commission of inquiry into PRASA will be held in abeyance until the completion of the investigations currently underway by the DPCI and SIU.	DPCI SIU	Investigations by the DPCI and the SIU are ongoing.	In progress	In progress
10	4.6.8	Establishment of a Special Commission of Inquiry into PRASA	A determination will be made on whether these processes have sufficiently addressed the matters raised by the Commission and whether a Commission of Inquiry would serve that purpose.	Presidency	The decision on the SCC recommendation regarding the establishment of a Special Commission of Inquiry into PRASA will require an executive decision once the current investigations have been concluded.	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
11	4.7.2	Companies implicated in State Capture	The Companies and Intellectual Property Commission (CIPC) has begun reviewing the compliance of companies implicated in the Commission's report with CIPC requirements, whether there is inter-connectedness of directorships.	Department of Trade, Industry and Competition	<p>Reporting Compliance Summary relating to Private Sector Entities: CIPC has issued three compliance notices to the below mentioned Companies:</p> <ul style="list-style-type: none"> Swissport (Pty) Ltd - Compliance Notice issued 30 May 2023 Homix (Pty) Ltd - Compliance Notice issued 23 May 2023 JM Aviation (Pty) Ltd - Compliance Notice issued 1 June 2023 <p>A forty business day period afforded to the companies to respond expired on 27 July 2023. The matters are now being pursued through the Office of the State Attorney for further legal action. Other private sector entities from the original list of 20 have satisfactorily complied, whilst on other entities, engagements continue with the companies as part of the process.</p> <p>Reporting Compliance Summary relating to Natural Persons:</p> <ul style="list-style-type: none"> An accountant, and an auditor are also being pursued for further action. The case of the accountant is formally being pursued through the State Attorney's Office for further legal action. Counsel has been appointed CIPC awaiting more information for further action on the Auditor. 	In progress	In progress
12	4.7.3	Companies implicated in State Capture	Action against other companies (following the action against Bain & Co implicated in the Commission's report is also being considered. Consideration is also being given to claims for civil damages against such companies.	National Treasury	The restriction of suppliers is triggered by an organ of the state, the National Treasury will respond on receiving an application from any organ of the state that was affected by that supplier. The blacklisting of Bain & Co it is still subject to litigation by Bain. As a result, there is no conclusion on this matter as it is still on the court roll.	In progress	In progress
13	4.7.3	Companies implicated in State Capture	Investigative authorities overseas have been approached to investigate multinational companies involved in state capture.	Financial Intelligence Centre	Ongoing. Reporting will be made available when information becomes available.	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
14	4.7.5	Companies implicated in State Capture	The CIPC will provide quarterly reports on the progress made on holding directors and auditors accountable for their compliance with company law requirements.	Department of Trade, Industry and Competition	<p>State Owned Companies(SOCs) Summary</p> <p>Based on the responses highlighted in the April 2023 progress report, the CIPC broadened its scope and engaged with the Department of Public Enterprises and the SOC's that fall within the DPE portfolio with a view of coordinating potential delinquency applications.</p> <ul style="list-style-type: none"> A roadmap was agreed upon and subsequently the CIPC has received a set of facts for a potential delinquency application from one of the SOC's. The CIPC is engaging with its Counsel on the merits of the facts presented with a view to bringing an application. Further, the CIPC is enforcing the Corporate Compliance Programme for all entities including SOC's via the Social and Ethics Committee requirement (regulation 43(5) (a) (i) (bb) of the Companies Act and verifying this via the CIPC's Electronic Compliance Checklist which is a web-based platform designed to ensure that directors of companies comply with the Companies Act. 	In progress	In progress
15	4.8.17 4.8.18	Tracking disciplinary cases across government spheres and public enterprises	There is currently no centralised register of people who have been dismissed from organs of state or those that have resigned to avoid being disciplined. The DPSA, COGTA, the Department of Public Enterprises and the National Treasury have been directed to collaborate to design and implement appropriate solutions to address this challenge. The developed mechanisms will be rolled out across government in April 2023.	Department of Public Service and Administration Department of Cooperative Governance Department of Public Enterprises National Treasury	An inter-departmental task team has successfully developed a central register to track all dismissals and resignations (with disciplinary cases pending) from the national and provincial spheres as well as from a significant number of public entities. There are currently over 12 000 records on the central register, with a first-round effort led by the National Treasury and DPSA seeing positive responses from over 50 public entities, adding 2004 new records. The inclusion of local government data into this register is underway.	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
16	5.10.11	Determine whether Electoral Laws Amendment Bill satisfied the concerns raised by the State Capture Commission with regard to the electoral system.	Noting that a part of the electoral reforms proposed by the Commission are currently under consideration in Parliament in relation to the Electoral Laws Amendment Bill and considering that Parliament has a court prescribed deadline to approve the Bill by 10 December 2022, it will be necessary to await the finalisation of the Bill before determining whether it satisfies the concerns raised by the Commission.	Department of Home Affairs	The Electoral Amendment Act, 2022 has been passed into law, however it is currently subject to two challenges in the Constitutional Court.	In progress	In progress
17	5.11.3	Creation of a statutory offence for abuse of public power	The Department of Justice and Constitutional Development will research possible legislative provisions for the creation of a statutory offence for the abuse of public power. This work will be finalised by mid-December 2023.	Department of Justice and Constitutional Development	Matter is under consideration in the SALRC where research is currently being undertaken, and the write up will be finalised by the due date.	In progress	In progress
18	5.12.5	Sanction for constitutional and political malpractice to be considered	The Department of Justice and Constitutional Development has been directed to undertake research of the creation of an offence of political or constitutional malpractice. It will be completed by December 2023.	Department of Justice and Constitutional Development	Matter is under consideration in the SALRC where research is currently being undertaken, and the write up will be finalised by the due date.	In progress	In progress
19	5.13.10 5.14.11	Recommendations specifically directed to the President	In exercising his powers with respect to the appointment and dismissal of members of the Executive, the President is taking the Commission's findings, recommendations and observations about particular individuals into account and consideration, as well as the status of relevant legal processes, as such matters arise.	Presidency	Ongoing	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
20	5.15.32	Leader of Government Business to interact with Parliament's Presiding officers on recommendations that relate to the interface between Parliament and the Executive	The Leader of Government Business will interact with Parliament's Presiding Officers on the recommendations that relate to the interface between Parliament and the Executive (set out in section 5.15 of the President's Response).	Presidency	Nine legislative amendments or new laws have been introduced to Parliament. See Appendix B	In progress	In progress
21	5.15.34	Interface between the Executive and Parliament	To ensure that Parliament is sufficiently resourced to hold the Executive to account, the National Treasury will engage with Parliament to determine the most appropriate way to give effect to the Commission's recommendations on the funding of Parliament.	National Treasury	Budget allocation confirmed in the 2023/24 Budget	In progress	In progress
22	5.15.34	National Treasury to engage Parliament on funding of Parliament	To ensure that Parliament is sufficiently resourced to hold the Executive to account, the National Treasury will engage with Parliament to determine the most appropriate way to give effect to the Commission's recommendations on the funding of Parliament.	National Treasury	Budget allocation confirmed in the 2023/24 Budget	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
23	5.2.16 5.2.17	Research into establishment of an Anti-State Capture and Corruption Commission and Public Procurement Agency	The National Anti-Corruption Advisory Council (NACAC) will, in the course of its work to advise on strengthening the country's anti-corruption institutional arrangements, consider the detailed recommendations of the Commission on the establishment of an 'Anti-State Capture and Corruption Commission' and a 'Public Procurement Anti-Corruption Agency'. By the end of the current financial year (31 March 2023), the NACAC will have developed its plan, which will include research into the establishment of a permanent Anti-State Capture and Corruption Commission and Public Procurement Agency. Based on the advice of the NACAC and the outcomes of the review of South Africa's anti-corruption architecture by the Department of Justice, a comprehensive proposal on an effective and integrated anti-corruption institutional framework will be produced for public consultation, finalisation and implementation.	National Anti-Corruption Advisory Council Secretariat	The Department of Justice and Constitutional Development has completed its comparative research on the models followed in other countries and is preparing a proposal on the recommendations for a model for SA's anti-corruption architecture. Draft legislation is also under consideration. Consultation with stakeholders will commence once the draft documents are finalised.	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
24	5.2.18	Investigating Directorate to be established as permanent entity	The Investigating Directorate will be established as a permanent entity within the NPA and ID investigators will be provided with the requisite criminal investigatory powers as contemplated in the Criminal Procedure Act, Act No. 51 of 1977.	Department of Justice and Constitutional Development	<p>The NPA Amendment Bill [B 29—2023] was introduced to the National Assembly on 4 September 2023.</p> <p>The Bill proposes to amend the National Prosecuting Authority Act, 1998, so as to insert certain definitions; to provide for the establishment of the Investigating Directorate against Corruption and its powers and functions; to provide for the appointment of investigators in the Investigating Directorate against Corruption; to provide for the appointment of investigators; to provide for the security screening of investigators; to provide for the remuneration and conditions of service of investigators; to provide for the establishment of a mechanism to deal with complaints of a serious nature pertaining to persons appointed at or assigned to an investigating directorate; to provide for the powers and functions of investigators; to provide for transitional arrangements relating to the existing Investigating Directorate to become part of the Investigating Directorate against Corruption; to amend the Regulation of Interception of Communications and Provision of Communication-Related Information Act, 2002, so as to make provision for applications for directions in terms of that Act by the head of the Investigating Directorate against Corruption; and to provide for matters connected therewith.</p>	In progress	Completed
25	5.2.19	Legislative amendments for appointment of NDPP	Legislative amendments will be introduced to introduce greater transparency and consultation in the process for selection and appointment of the NDPP, drawing on the process adopted for the selection of the current NDPP.	Department of Justice and Constitutional Development	The DOJ&CD reports that the appointment of the NDPP will be considered under a broader review of the appointment of heads of entities, which in certain instances, will require constitutional amendments.	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
26	5.2.19	Financial and administrative independence of NPA	To address concerns with respect to the independence of the NPA, legislative amendments will be introduced to introduce greater transparency and consultation in the process for selection and appointment of the NDPP, drawing on the process adopted for the selection of the current NDPP. Work will be undertaken to clarify the Minister's "final responsibility" over the NPA as set out in section 33 of the NPA Act and settling aspects related to the NPA's financial and administrative independence.	Department of Justice and Constitutional Development	The DOJ&CD is developing a framework for engagement to enhance coordination at both strategic and technical levels, and to clarify the Minister's 'final responsibility' over the NPA as set out in section 33 of the NPA Act. The draft document will be finalised by December 2023.	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
27	5.3.16	Procurement reforms	<p>The Public Procurement Bill is expected to be finalised and submitted to Parliament by March 2023. The Bill will address the Commission's recommendations with respect to:</p> <ul style="list-style-type: none"> • a Code of Conduct setting out the ethical standards which apply in the procurement of goods and services for the public; • protecting Accounting Officers or Accounting Authorities from criminal or civil liability for anything done in good faith unless such person acts negligently; • harmonisation of the legislation applying to public procurement; • better guidance and training of public procurement officials; • regulations to provide clear guidance on the processes to be followed when procuring from a sole source; • setting standards of transparency for inclusion in every procurement system; • providing appropriate management, contracting, reporting and enforcement guidelines for those who implement projects on behalf of government; • ensuring compliance with transformation imperatives; • institutionalising lifestyle audits for all senior managers and officials involved in supply chain management; • the establishment of a professional body to which all public procurement officials. 	National Treasury	<p>The Bill responds to a number of the Commission's recommendations related to procurement reform. These include:</p> <ul style="list-style-type: none"> • harmonisation of laws across the three spheres of government • increasing transparency in procurement processes to combat corruption • binding codes of conduct for persons involved in procurement • protections for accounting officers and improved processes for disbarring of suppliers who contravene procurement laws. • further establishing the Public Procurement Office within the National Treasury, with powers to issue legally binding instructions, enter and search premises and seize evidence. • envisaging the establishment of an independent Public Procurement Tribunal to review decisions by the Public Procurement Office. 	Completed	Completed

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
28	5.3.18	Legislative amendment to ensure appointment of qualified service providers	Government is giving consideration – through the draft Public Procurement Bill and amendments to the PFMA – to prohibiting the awarding of a tender unless the responsible official has satisfied themselves that the service provider is qualified. It is also considering the recommendation that no service provider may be awarded a tender or may conclude any contract with a public institution unless it has produced proof of relevant qualifications, skills experience or expertise required to perform the work. It is intended that this legislation be sent to Parliament before the end of this financial year.	National Treasury	<p>The Bill was submitted to Parliament on 30 June 2023.</p> <p>The Bill aims to create a single regulatory framework for public procurement and eliminate fragmentation in laws which deal with procurement in the public sector and, among others, provide for—</p> <ul style="list-style-type: none"> • the establishment of a Public Procurement Office within the National Treasury and its functions; • the functions of provincial treasuries; • the functions of procuring institutions; • measures pertaining to the integrity of the procurement process; • a preferential procurement framework; • general procurement requirements; • enabling regulations on a procurement system including different methods of procurement and different regulations for different types of procurement; • the use of information and communication technology in procurement; • dispute resolution mechanisms; and • the repeal and amendment of certain laws. 	Completed	Completed
29	5.3.19	Lifestyle audit for executives	The implementation of lifestyle audits for members of the National Executive will be undertaken by an independent external service provider and will be managed by the Office of the Director-General in the Presidency.	Presidency	Process has been delayed due to challenges with procurement of service provider. New project plan to be confirmed	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
30	5.4.18	Prohibition board members and Ministers involvement in operational or procurement in SOEs	In line with good governance practices, no board member will be allowed to be operationally involved in procurement processes beyond playing an oversight role. Ministers will be prohibited from playing any role in procurement within SOEs.	Department of Public Enterprises	The review is completed and there are no additional measures being undertaken.	Completed	Completed
31	5.4.19	Stabilising and reforming state-owned enterprises	Provision will be made in the final 'Guide for the Appointment of Persons to Boards and Chief Executive Officers of State-Owned and State-Controlled Institutions' for independent panels of relevant stakeholders and experts to play a role in nominating suitable candidates to the relevant minister. It is anticipated that the guide will be finalised in the 2023/24 financial year.	Department of Public Enterprises	DPE awaiting discussions with DPISA and relevant Ministers as per Cabinet approval in November 2022.	In progress	In progress
32	5.4.20	Establishment of central database for SOE board appointments	Government will establish a central database of potential candidates that can be appointed to the boards of SOEs. In terms of this process, an advertisement will be issued requesting nominations of potential candidates, who will be screened and vetted. In some instances, it would be necessary to ask professional bodies to propose names. The successful candidates will be part of the pool of candidates who could be appointed to the Boards of SOEs. The establishment of the database will commence upon conclusion of the 'Guide for the Appointment of Persons to Boards and Chief Executive Officers of State-Owned and State-Controlled Institutions'.	Department of Public Enterprises	The centralised database will be dealt with in the review of the National Guide.	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
33	5.4.21	Codify appointments for SOEs	A State-Owned Enterprises Bill and its regulations will codify the appointment process so that the principles and process become legally binding and that sanctions for non-compliance are put in place. The Bill has been developed and is currently in the process of consultation. It is anticipated that the Bill will be finalised in the 2022/23 financial year.	Department of Public Enterprises	Consultations with key stakeholders are still to be held during the 2023/24 Financial Year.	In progress	In progress
34	5.5.11	Amend Companies Act for declaring delinquent directors	The recommendation to amend the Companies Act so as to permit applications for a director to be declared delinquent to be brought even after two years is accepted and will form part of a review of the Companies Act that is expected to be concluded in the third quarter of 2023.	Department of Trade, Industry and Competition	The Companies Second Amendment Bill has been approved by Cabinet and submitted to Parliament. The Bill responds to the Commission's recommendation to extend the time period for bringing an application to declare a director of a company delinquent.	In progress	Completed
35	5.5.12	Amend legislation on failure of persons to prevent bribery	The recommendation to amend the Prevention and Combating of Corrupt Activities Act on the failure of persons or entities to prevent bribery will be included in the Judicial Matters Amendment Bill which will be submitted to Cabinet in the latter half of 2022.	Department of Justice and Constitutional Development	The amendment has been included in the Judicial Matters Amendment Bill, 2023, which is being deliberated upon in Parliament.	Completed	Completed
36	5.5.13	Amend the Political Party Funding Act	The recommendation to amend the Political Party Funding Act to criminalise donations to political parties in the expectation of access to procurement tenders or contracts is accepted. This amendment will be made alongside other consequential amendments that will be required following the approval of the Electoral Amendment Bill currently before Parliament.	Department of Home Affairs	The Electoral Amendment Act is currently subject to a court challenge. The NACAC has included the Political Party Funding Act as one of the focus areas of its work in 2023 and will publish an advisory to the President on this.	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
37	5.5.14	Introduce legislation to allow deferred prosecution agreements	The South African Law Reform Commission (SALRC) is considering deferred prosecution agreements as part of its review of the criminal justice system. This is a broad investigation that seeks to ensure efficiency in the adjudication and finalisation of criminal cases. It is expected to be finalised towards the end of the 2023/24 financial year. Deferred prosecution agreements will receive attention, in this review, during the current financial year.	Department of Justice and Constitutional Development	A project plan for the development of a reviewed and new Criminal Procedure Act has been developed and a project team established. The SALRC /DOJ is partnering with the DCS; SAPS; Legal Aid and the NPA in this Project. A workshop was held with stakeholders in June 2023, and work is underway on drafting the Bill.	In progress	In progress
38	5.5.15	Disbarment of bidders or suppliers	Public Procurement legislation will include provision to issue disbarment order against a bidder or supplier.	National Treasury	The Bill was introduced to Parliament on 30 June 2023.	Completed	Completed
39	5.5.16	Review of Treasury Instruction on restriction of bidders or suppliers	Pending the processing of the Public Procurement Bill and its enactment and commencement, National Treasury will review the current Treasury Instruction on the restriction of bidders or suppliers if an institution fails to act to provide the authority to the relevant treasuries to do so. It is anticipated that this will be completed by January 2023.	National Treasury	The consultation process on the revised Instruction Note continues to ensure all relevant stakeholders are afforded the opportunity to participate in the process.	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
40	5.6.24	Review of Treasury Instruction on restriction of bidders or suppliers	A new General Intelligence Laws Amendment Bill has been drafted and is expected to be tabled in Parliament before the end of this financial year. The Bill will amend the National Strategic Intelligence Act (39 of 1994), Intelligence Services Act (65 of 2002) and other relevant Intelligence laws so as to, among others, disestablish the SSA and establish a domestic intelligence service and foreign intelligence service in accordance with the Constitution. The amendment will also include provisions to strengthen the oversight of the intelligence agencies by bodies such as the Inspector General of Intelligence, the Joint Standing Committee on Intelligence and the Auditor General of South Africa.	State Security Agency	After the Bill was presented to the JCPS Ministers Cluster and to the JCPS Cabinet Committee, Cabinet approved that the Bill should be submitted to Parliament. The Minister in the Presidency submitted the Bill to the Speaker of the National Assembly. On 12 October 2023, the Speaker of the National Assembly has announced the names of the members who were nominated by their parties to serve on the Ad Hoc Committee on the General Intelligence Laws Amendment Bill.	Completed	Completed
41	5.6.25	Review of Intelligence Services Act to give effect to principle that no member of Executive should be involved in operational matters of SSA	It is necessary to reaffirm the principle that no member of the Executive responsible for intelligence, whether the President, Minister or Deputy Minister, may be involved in the operational matters of the SSA. The review of the Intelligence Services Act that is currently underway will consider how to give practical effect to this principle.	State Security Agency	SSA reports that this is dependent on the promulgation of the General Intelligence Laws Amendment Act which provides for the review of Section 10(3) of the Intelligence Services Act.	In progress	In progress
42	5.6.26	Progress on SSA response plan to SCC recommendations	State Security Agency has developed and is implementing a comprehensive response plan to address the recommendations of the Commission.	State Security Agency	The new leadership of SSA continues to implement a comprehensive response plan to address the recommendations of the Commission.	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
43	5.6.27	Consequence management for offences committed at SSA	Several reports in relation to Project Veza have been completed and were shared with the NPA's Investigating Directorate (ID) in March 2021 for further investigation and possible prosecution. Subsequent to that, an independent forensic investigation firm was sourced to augment the capacity of the ID in November 2021. Consequence management is already being implemented through disciplinary action in SSA.	State Security Agency	The SSA continues to work closely with the National Prosecuting Authority's Investigative Directorate (ID) for further investigations and possible prosecutions.	In progress	In progress
44	5.6.28	Resuscitation of systems and control measures to prevent peddling of fabricated information	The peddling of fabricated information has been counteracted by the resuscitation of systems and control measures in the SSA.	State Security Agency	This action has been implemented. The systems and control measures to prevent peddling of fabricated information have been resuscitated.	In progress	Completed
45	5.6.29	Controls for cash and improved accountability	National Treasury is working with the Auditor-General and SSA on tightening financial controls, especially with respect to cash, and improving accountability through a multi-pronged audit process (involving the AGSA, IGI and SSA Internal Audit).	State Security Agency	SSA reports that there is improved accountability and control of cash in SSA.	In progress	Completed
46	5.6.30	Implementation of gun control directives	The SSA has finalised and is implementing new gun control directives for the agency in line with applicable laws	State Security Agency	SSA reports that this action has been completed.	Completed	Completed
47	5.6.31	Review of SSA human resource directives to align with SCC recommendations on recruitment criteria	The SSA is reviewing human resource directives to ensure they are in line with the Commission's recommendations on recruitment criteria. This is expected to be completed by March 2023.	State Security Agency	SSA reports that HR full implementation of this action is expected after the GILAB has been approved.	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
48	5.6.32	Tabling of National Security Policy and Strategy documents to Parliament	New National Security Policy and Strategy documents have been drafted and presented to the National Security Council. The policy, which returns to the principles of the White Paper on Intelligence, will be recommended to Parliament for the commencement of public consultations before the end of this financial year.	State Security Agency	The National Security Strategy was presented to various forums and will be presented to Cabinet as soon as all consultations have been concluded.	In progress	In progress
49	5.7.8	Review whistle-blower protection laws and incentives	<p>The Department of Justice has commenced a review of the Protected Disclosures Act and Witness Protection Act to, among other things, give effect to the following recommendations:</p> <ul style="list-style-type: none"> - ensure whistleblowers receive the protections afforded by section 32(2) of the UN Convention Against Corruption - the possible award of a proportion of funds recovered to the whistleblower provided that the information disclosed has been material in recovering funds - whistleblowers be afforded immunity from criminal or civil action arising from honest disclosures. <p>The review, which will include consultation with stakeholders and the National Anti-Corruption Advisory Council, will be completed by the end of April 2023.</p>	Department of Justice and Constitutional Development	The DOJ & CD published its comprehensive review of the current legislative framework and recommendations for reforms. The review makes significant recommendations for reforms to the Protected Disclosures Act and Witness Protection Act based on the Commission's recommendations on whistleblower protection. These include criminalising threats against whistleblowers; setting up a fund for whistleblowers who lose their jobs due to their revelations; offering state protection to whistleblowers and their families when needed; and reversing the burden of proof from whistleblowers to those refuting their claims. These are expected to be translated into legislative amendments.	In progress	Completed

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
50	5.8.5.	Restoring the South African Revenue Service	The National Treasury has initiated the process to amend the SARS Act to implement the recommendations of the Nugent Commission, including providing for an open, transparent and competitive process for the appointment of the SARS Commissioner and the appointment of adequate oversight mechanisms such as an inspector general. Legislation will be tabled by June 2023.	National Treasury	Work is currently underway on the drafting of amendments to the SARS Act.	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
51	5.9.10	Improving measures to combat money laundering	The matter of statutory frameworks for financial information sharing partnerships has been included in the General Laws (Anti-Money Laundering and Combating Terrorism Financing) Amendment Bill, which has been tabled in Parliament and is currently before the NA Finance Portfolio Committee. This Bill aims to address the deficiencies identified by the Financial Action Task Force (FATF) and IMF in their mutual evaluation of South Africa in 2021.	National Treasury	<p>There are various authorities involved in strengthening the money laundering regime – law enforcement, supervisors of financial institutions and non-financial businesses that might be misused for money laundering – have been working together to address the remaining deficiencies in the regime, both technically and strategically.</p> <p>Over the reporting period all necessary regulations came in to effect, and the affected agencies (CIPC, Masters Office, NPO Directorate at the DSD) have been implementing systems to capture beneficial ownership information.</p> <p>The anti-money laundering regime is also being strengthened by:</p> <ul style="list-style-type: none"> • Building the capacity to supervise designated non-financial businesses and professions that are at risk of abuse by money launderers; and • Strengthening the system for managing cross-border flows of cash. <p>SA's law enforcement agencies are collaborating more closely to prioritise money laundering investigations and prosecutions, especially those that relate to crimes that generate large volumes of illicit proceeds: corruption, tax evasion and fraud.</p> <p>A second report to the FATF Joint Group was submitted on 28 July 2023, and, separately, SA has applied for a reassessment of our compliance with technical standards.</p>	Completed	Completed

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
52	5.9.11	Effectiveness of the current system of suspicious transaction and cash threshold reporting	The Financial Intelligence Centre (FIC) has appointed attorneys to conduct an urgent independent review of the effectiveness of the current regulatory reporting regime under the FIC Act. It will also undertake a review of what banks had reported in relation to possible state capture transactions, what the FIC had done with the reports, what referrals the FIC had made to law enforcement agencies and what the law enforcement agencies had done with such referrals. The FIC briefed the attorneys on 26 August 2022 and is awaiting the project plan from the attorneys, which will include the duration of the review.	Financial Intelligence Centre	FIC has provided progress report on phase 2 of the review, as per recommendations of the Commission. This report contains preliminary findings including the following: The FIC is proving to be effective insofar as the LEAs derive value from the FIC's intelligence reports, particularly in recent years, however, the review has revealed some systematic implementation gaps which if tightened, can result in enhanced efficiency for the FIC, LEAs and supervisory bodies.	In progress	In progress
53	5.9.9	Legislation governing banks to ensure fair hearing before closing accounts	With respect to the recommendation that banks be required to follow a fair process when considering the closure of a client's accounts, National Treasury will review whether the current standards need to be strengthened to better protect retail customers from bank closures from a financial inclusion perspective, to the extent that they comply with anti-money laundering legislation and other applicable laws.	National Treasury	The review of the financial sector code is still underway between the Financial Sector Transformation Council (FSTC) constituencies. The Final Reports from the Retirement Funds, Management Control and Skills Development, Consumer Education and Preferential Procurement Subcommittees are at Council level for deliberation. Draft Consolidated Reports of the Empowerment Financing and Access to Financial Services are at the Reporting Working Committee level for deliberation. The Black Business Growth Funding Sub-committee has not concluded its discussions.	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
54	6.1.8	Strengthening the auditing system	<p>The National Treasury and the AGSA are working together to review the usefulness of the concept of irregular expenditure, and to focus on identifying corrupt or suspicious expenditure, or expenditure made in bad faith. This is part of an effort to address the Commission's recommendation cited in paragraph 5.3.2.3 above and return to the original intent of the PFMA to let managers manage, while holding them accountable.</p>	National Treasury	<p>The definitional elements of irregular and fruitless and wasteful expenditure were reviewed based on the work done in April 2023 and National Treasury is expected to proposed amendments to both these concepts in the proposed amendments to the PFMA and MFMA.</p> <p>The proposed amendments of the PFMA have addressed matters pertaining to the disclosure of these regulatory concepts in the annual financial statements and annual report.</p> <p>The proposed amendments to the MFMA will also address how municipalities and municipal entities detect and address irregular expenditure including the implementation of consequence management.</p> <p>In the interim whilst finalising amendments to the PFMA, the reporting of irregular and fruitless and wasteful expenditure has been prescribed in Instruction No. 4 of 2022/2023 and linked to a chapter in the annual report wherein institutions are required to disclose matters pertaining to the details of irregular and fruitless and wasteful expenditure in their annual report and report what was incurred in the period under review in their annual financial statements.</p>	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
55	6.2.1 6.2.2 6.2.8	Professionalisation of the public administration	<p>A key mechanism of state capture was the strategic positioning of individuals in positions of power through the abuse of public sector appointment and dismissal processes. This was in contravention of the Constitution and applicable legislation. An important instrument to address this issue is the National Framework towards the Implementation of Professionalisation of the Public Sector, which was adopted by Cabinet on 19 October 2022. The Framework makes specific proposals to stabilise the political-administrative interface, ensure merit-based recruitment and selection and more effective consequence management. All public sector legislation governing professionalisation will be reviewed and, where necessary, amended to align with this Framework.</p>	Department of Public Service and Administration	<p>The Public Service Amendment Bill (B13- 2023) was introduced to Parliament on 19 May 2023. It seeks to amend the Public Service Act, 1994, to provide for among others, the devolution of administrative powers from executive authorities to heads of department. The DPSA has been supporting the Parliamentary process.</p> <p>The Portfolio Committee on Public Service and Administration has commenced with public participation processes on the Bill. The Public Service Regulations Amendment to the 2016 Regulations is being processed to the Minister for Public Service and Administration (MPSA) for approval. Draft Regulations to align with the Public Service Amendment Bill in the process of being drafted.</p> <p>A process to review all existing Determinations and Directives issued by the MPSA with the view to consolidating all legal instruments into the Public Service Handbook issued by the MPSA in terms of section 42 of the Public Service Act, 1994 is in progress.</p> <p>A draft Directive on the Implementation of the National Framework towards Professionalisation of the Public Sector is underway with a multi-disciplinary Task Team set up to ensure that the key areas of reform in the public sector identified in the National Framework are addressed and aligned to the Public Service Regulatory Framework.</p>	In progress	In progress

DETAILED REPORTING AGAINST ACTIONS

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
56	6.2.8	Professionalisation of the public administration	<p>To clarify the relationship between political authority and the institutions they oversee, the following measures will be undertaken:</p> <ul style="list-style-type: none"> - Revisiting the process of induction for new Ministers and reformulating the relevant sections of the Guide for Members of the Executive. This is expected to be completed by the end of this financial year. 	Department of Public Service and Administration	The review of the Ministerial Handbook has been tasked to the Independent Commission for the Remuneration of Public Office Bearers and DPSA provides support where requested. The Report is still awaited. The induction programme for Members of the Executive is coordinated by the Presidency and the DPSA makes the relevant presentations and will continue to update based on any further changes when they occur.	In progress	In progress
57	6.2.8	Professionalisation of the public administration	<p>To clarify the relationship between political authority and the institutions they oversee, the following measures will be undertaken:</p> <ul style="list-style-type: none"> - legislating more clearly, through the Public Service Amendment Bill, the respective roles and functions of executive authorities and heads of department. The role of the executive authority will be more strategic while the head of department will be responsible for administrative matters pertaining to the department. It is envisaged that the Amendment Bill will be submitted to Parliament in the 2022/2023 financial year. 	Department of Public Service and Administration	The Public Service Amendment Bill (B13- 2023) was introduced to Parliament on 19 May 2023. It seeks to amend the Public Service Act, 1994, to provide for the devolution of administrative powers from executive authorities to heads of department; to augment the role of the Director-General in the Presidency to support the President; to provide for a mechanism to deal with the recovery of overpayments of remuneration and benefits; to clarify the role of the Public Service Commission in respect of grievances; to clarify the role of the President and the Premier in respect of the appointment and career incidents of heads of departments; and to provide for matters connected therewith.	Completed	Completed

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
58	6.2.8	Professionalisation of the public administration	<p>To clarify the relationship between political authority and the institutions they oversee, the following measures will be undertaken:</p> <ul style="list-style-type: none"> - developing a code of conduct for special advisers that clarifies the role of advisers and reinforces the existing provisions that there shall be no relationship of authority between the Special Adviser and the Head of Department concerned, and that the Special Adviser shall refrain from interfering in the administration and management of the department. 	Department of Public Service and Administration	The Special Adviser Dispensation is under review and is being subjected to consultation processes. The Dispensation will include a Code of Conduct for Special Advisers and will be subjected to Cabinet processes as required in terms of section 12A of the Public Service Act.	In progress	In progress

NO	COLUMN 1	FOCUS OF ACTION	ACTION AS DESCRIBED IN PRESIDENT'S RESPONSE	RESPONSIBLE TO IMPLEMENT/ REPORT	PROGRESS	PREVIOUS	CURRENT
59	6.2.8	Professionalisation of the public administration	<p>To clarify the relationship between political authority and the institutions they oversee, the following measures will be undertaken:</p> <ul style="list-style-type: none"> -requiring that executive advice and directives need to be channelled through Accounting Officers to have force and effect. This would prevent the proliferation of conflicting instructions to officials and interference by executive authorities in the operational matters of departments and agencies and municipalities. - making it an explicit requirement that executive authorities are legally obliged to record in writing all directives and advice to Heads of Department and Accounting Officers, as well as any other officials or holders of office in a public entity. This should include the outcomes of any meetings with such officials, and any verbal directive that has not been reduced to writing should be regarded by officials as having no force or effect. 	Department of Public Service and Administration	<p>The Public Service Amendment Bill (B13- 2023) was introduced to Parliament on 19 May 2023. The Public Service Act is being amended to require that where a HOD fails to fulfil an obligation or a responsibility in terms of the Act, the executive authority may, in writing, require the HOD to comply.</p> <p>By the proposed devolution of powers (through the amendments to the Public Service Act) , the HOD exercises all administrative powers unless delegated and therefore the instruction to other officials will not have any authority.</p> <p>The review of the Regulatory Framework will look at other measures to strengthen existing provisions.</p>	In progress	In progress
60	7.1.9	Implementation of the response	In its advisory role, NACAC will provide an independent annual report to the South Africa public on the progress made by the state in implementing the responses.	NACAC Secretariat	This annual report is to be included in the workplan for NACAC in the current financial year.	In progress	In progress